



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
101 W. Pleasant Street, Suite 100A  
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Fax #: (414) 220-5374  
www.commerce.state.wi.us

Scott McCallum, Governor  
Philip Edw. Albert, Secretary

## Wisconsin Department of Commerce Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform investigation services for a petroleum release from a regulated petroleum product storage tank system. The site for which bids are being solicited is:

**Bid Round Number:** 22  
**Comm Number:** 53019-9999-00  
**BRRTS Number:** 03-20-195722  
**Site Name:** Flood Oil Co., Inc. Bulk Plant  
**Site Address:** 101 Track Lane, Eden, WI

**Project Manager:** Monica Weis  
**Project Manager address:** 101 W. Pleasant St., Suite 100A, Milwaukee, WI 53212  
**Project Manager phone:** 414-220-5361  
**Project Manager e-mail address:** mweis@commerce.state.wi.us

<b>Bid Announcement Date</b>	<b>9/30/02</b>
<b>Questions or requests for information must be submitted in writing and received by:</b>	<b>10/14/02 4:00 PM</b>
<b>Responses to the questions will be posted (and if requested, sent in writing) by:</b>	<b>11/1/02</b>
<b>Bid End Date and Time:</b>	<b>11/15/02 by Noon</b>

The case file and all pertinent documents, for which bids are being sought, and the successful bid, when determined, are available for inspection at:

**Commerce 101 W. Pleasant St., Suite 100A Milwaukee, WI**

Please contact the project manager listed above for an appointment.

Copies of pertinent documents can be purchased for the cost of reproduction and handling at the following address:

**Ikon Office Solutions 205 E. Wisconsin Ave., Ste. 400, Milwaukee 53202**

**Phone: 414-276-7077**

**Fax: 414-276-7119**

## **SECTION 2 - Site Specific Bid Specification Requirements:**

### **A) Project Manager Comments**

#### **1) General Comments:**

The bids will address additional investigation activities and will not include costs through closure. Upon completion of the activities set forth below, the site will continue with additional investigation activities (potentially through the bid process) or will be sent through the public bid process for remediation.

The Flood Oil property is a former bulk facility that included seven above-ground storage tanks (ASTs). The ASTs, which were removed from the site in May 2001, included the following sizes and contents: one 15,000-gallon diesel fuel, one 15,000-gallon fuel oil, one 15,000-gallon unleaded gasoline, one 3,000-gallon unleaded gasoline, one 6,000-gallon unleaded gasoline, one 6,000-gallon diesel fuel, and one 6,000-gallon fuel oil. The most recent information indicates that each of the ASTs contained unleaded gasoline prior to removal. The estimated depth to bedrock at the site is approximately twenty feet below ground surface. An intermittent creek is located approximately 400 feet southwest of the site. Marshes, ponds, wetlands, and residences also surround the site. Estimated groundwater flow direction is to the west/southwest. The Friday Canning Company (Chiquita Processed Foods, LLC) is located to the west of the subject site and has three identified operating process wells and one abandoned process well on the property.

Please note that claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

#### **2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:**

- ☐ Documented expansion of the plume margin.
- ☐ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats.
- ☒ Contamination within bedrock or within 1 meter of bedrock.
- ☐ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

#### **3) Minimum Investigation Requirements:**

Commerce is requiring a phased approach for the investigation of this site. The consultant conducting the investigation must include costs for evaluating the data collected during each phase of the investigation. The consultant must submit the results and data evaluation upon completion of each phase to provide the basis for the next phase of activities. Commerce will provide oversight for the activities conducted. The phases of the investigation will be as follows:

**Phase One (bid responses must detail what activities will be completed for the budgeted amount):**

1. Define the degree and extent of soil contamination within the bermed area where the above-ground tanks were formerly located. Three soil borings (two to be converted into monitoring wells and one to be converted into a piezometer) will be necessary to determine if soil contamination extends to bedrock within the source area. Place one boring in the midst of former tanks #1, #2, and #7 and one boring in the midst of former tanks #3, #4, and #6. Soil samples should be logged and field screened with a photo-ionization detector (PID) and appropriate samples collected (highest PID value and from the soil/water interface) for analysis. Samples should be analyzed for diesel range organics (DRO), gasoline range organics (GRO), petroleum volatile organic compounds (PVOCs), and polynuclear aromatic hydrocarbons (PAH) analysis.
2. Define the degree and extent of groundwater contamination within the bermed area. Install two groundwater monitoring wells and one piezometer to determine the vertical component of the groundwater plume. Groundwater monitoring wells must be screened appropriately to intersect the groundwater table. Groundwater samples should be analyzed for DRO, GRO, VOCs (new wells only), PVOCs plus 1,2-Dichloroethane and Naphthalene (existing nine wells), and PAH (new wells only).
3. Perform hydraulic conductivity testing to determine the flow dynamic at the site and calculate the hydraulic gradient.
4. Monitoring wells must be surveyed and a groundwater contour map generated using the most recent water table elevation data for the wells.
5. Conduct an investigation of the utilities in the area as potential pathways for contaminant migration. Collect information about the location, age and depth of the utilities and associated trench slopes.
6. Conduct a well record search for all private and public wells within a one-quarter mile radius of the site.
7. Determine the amount of residual impacted soil above NR 720 residual contaminant levels and groundwater above NR 140 enforcement standards.
8. Document the amount and location of investigative waste generated during this phase for future disposal or provide disposal documentation.
9. Evaluate the findings and provide a report with recommendations for the Phase Two activities.

**Phase Two (bid responses must detail what will be done for the budgeted amount):**

Conduct a soil and groundwater investigation on the Flood Oil Bulk Facility property in the down-gradient direction to the west/southwest. For the purposes of bid evaluations, numbers of borings, wells and data collection events have been set forth below. The actual activities and timeframe will depend upon the results, conclusions and recommendations from Phase One. However, activities should not exceed what is outlined below.

- For bid evaluation purposes, anticipate the installation of three soil borings, converting two to permanent monitoring wells to a maximum depth of 20 feet and one piezometer to a maximum depth of 35 feet (75 feet of borings; 75 feet of monitoring wells), in the railroad right-of-way, southwest of the subject site. Actual well and soil boring locations and depths will be determined by the data collected during phase one activities.
- Groundwater samples should initially be analyzed for full VOCs (new wells only) and PVOCs plus 1,2-Dichloroethane and Naphthalene (existing twelve wells). Successive sample events should consist of PVOOC analysis. Bidders should budget for four rounds of groundwater monitoring for fifteen monitoring wells.
- Monitoring wells must be surveyed and a groundwater contour map generated using the most recent water table elevations in the wells.
- Document the amount and location of investigative waste generated during this phase for future disposal or provide disposal documentation.
- Upon completion of the investigation activities, the consultant must prepare a final report that includes results, conclusions and recommendations.

#### **B) Bidder's Strategy for Investigation**

- 1) Identify the strategy for completing the investigation activities.
- 2) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed investigation strategy will be successful in completing the required activities outlined in Section 2.
  - a) The detailed description may include, but is not limited to the following:
    - Technologies
    - Reporting details
    - Frequency of sampling/number of wells/parameters
- 3) Specifically describe how you will address off-site contamination, if applicable.
- 4) Specifically describe how you will address any direct contact hazards, if applicable.

#### **SECTION 3 - Conditions of Bid:**

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost to complete the required investigation activities. The "complete investigation" decision will be made by either the Department of Commerce or the Department of Natural Resources, depending on statutory site assignment. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to Comm 46, Comm 47, and NR 700.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to complete the required site investigation activities will be determined.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the investigation activity is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the investigation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid. The claimant will be notified that if a different service provider, rather than the successful bidder, is selected to complete investigation/remediation activities, the remediation site cap cannot be modified.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be "non-successful." Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the investigation approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be the successful bid, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the investigation services at the cost described within the Bid Response.

- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the investigation services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

#### **SECTION 4 - Closure Specifications:**

This section is not applicable for this site. The activities are for investigation only.

#### **SECTION 5 - Instructions to Bidders:**

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site-specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to complete the site investigation activities. A full investigation work plan is not required as part of the bid submittal. The program may request a full investigation work plan.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the investigation strategy.
2. The total cost (in dollars) to accomplish the required investigation activities, including all fees and reporting costs, but excluding interest costs.
3. The costs shall separately identify consulting (non-commodity) costs.

4. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
5. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
6. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
7. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1<sup>st</sup> Page of the Bid Response.
8. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
9. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
10. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
11. Any proposed technology or methods used in the investigation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).
12. From the standpoint of program operations or regulatory responsibility, the Department may determine that it is in the best interest of the program to not accept any or all bids.
13. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
14. The Bid Response must be appropriate to the site geologic setting.
15. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
16. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.

17. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
18. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
19. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.



**BID RESPONSE**

**(1<sup>st</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME:** Flood Oil Co. Bulk Plant  
**COMMERCE NUMBER:** 53019-9999-00  
**BRRTS NUMBER:** 02-20-195722

Submit Bid To Cathy Voges  
Department of Commerce PECFA Program  
201 W. Washington Ave., Madison, WI 53703-2790 or  
P.O. Box 8044, Madison, WI 53708-8044

Bidder Company: \_\_\_\_\_  
Bidder Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone ( ) - \_\_\_\_\_  
Number: \_\_\_\_\_  
Fax Number: ( ) - \_\_\_\_\_  
e-mail Address: \_\_\_\_\_

Bidder: (check one that applies):

_____	Professional Engineer	_____	License #
_____	Professional Geologist	_____	License #
_____	Hydrologist	_____	License #
_____	Soil Scientist	_____	License #

Seal

Signature: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Total Bid Cost \$ \_\_\_\_\_

Total Consulting Cost (subpart of Total Bid) \$ \_\_\_\_\_

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2<sup>nd</sup> Page)

Department of Commerce PECFA Program

<b>SITE NAME:</b>	<b>Flood Oil Co. Bulk Plant</b>
<b>COMMERCE NUMBER:</b>	<b>53019-9999-00</b>
<b>BRRTS NUMBER:</b>	<b>02-20-195722</b>

Consulting Firm phone number (    ) \_\_\_\_-\_\_\_\_

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the investigation strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.*